



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
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AMARAVATI, TUESDAY , OCTOBER 30, 2018

G.528

PART II - MISCELLANEOUS NOTIFICATIONSN OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT
DEPARTMENT
(VIG.I)**

ALLEGATION OF ACQUISITION OF ASSETS DISPROPORTIONATE TO THE KNOWN SOURCES OF HIS LEGAL INCOME AGAINST SRI. T.SHANMUKHA REDDY, THE THEN TOWN PLANNING SUPERVISOR, GVMC., VISAKHAPATNAM - CASE REGISTERED ON 24.12.2009 - DEPARTMENTAL ACTION INITIATED UNDER RULE 20 OF APCS (CC&A) RULES, 1991 - IMPOSING A MAJOR PENALTY OF "WITHHOLDING OF ONE (1) ANNUAL GRADE INCREMENT WITH CUMULATIVE EFFECT" AGAINST THE CHARGED OFFICER SRI T.SHANMUKHA REDDY, THE THEN TPS., GVMC., VISAKHAPATNAM.

- Ref : 1) Procs.Roc.No.399/2010/M2-1, Dt: 30-01-2013 of the Director of Town & Country Planning, A.P., Hyderabad along with Charge Memo., Dt: 30-01-2013 & W.S.D, Dt: 08-08-2013.
- 2) This office Lr. of even No., Dt: 21-10-2013 addressed to Charged Officer.
- 3) Representation Dt: 30-10-2013 of Sri T. Shanmukha Reddy, TPS, Srikalahasti Municipality, Chittoor District addressed to Enquiry Officer.
- 4) This office Lr. of even No., Dt: 26-11-2013 addressed to Charged Officer.
- 5) Representation Dt:30-11-2013 of Sri T. Shanmukha Reddy, TPS, Srikalahasti Municipality, Chittoor District addressed to this office.
- 6) This office Lr. of even No., Dt: 08-01-2014 addressed to Sri T. Shanmukha Reddy, TPS, Srikalahasti Municipality, Chittoor District.

- 7) Representation Dt:10-01-2014 of Sri T. Shanmukha Reddy, TPS, Srikalahasti Municipality, Chittoor District addressed to Enquiry Officer.
- 8) This office Lr. of even No., Dt: 24-01-2014 addressed to Sri T Shanmukha Reddy, TPS, Srikalahasti Municipality, Chittoor District.
- 9) Representation Dt:10-02-2014 of Sri T. Shanmukha Reddy, TPS, Srikalahasti Municipality, Chittoor District addressed to thi office.
- 10) This office Lr. of even No., Dt: 19-02-2014 addressed to Sri T. Shanmukha Reddy, TPS, Srikalahasti Municipality, Chittoor District.
- 11) This office Lr. of even No., Dt: 01-03-2014 addressed to Director of Town & Country Planning, A.P., Hyderabad.
- 12) This office Lr. of even No., Dt: 01 -03-2014 addressed to Sri G. Gurunadha Reddy, Supdt..& Presenting Officer 0/o.DDTP,VSP.
- 13) This office Lr. of even No., Dt: 15-03-2014 addressed to Director of Town & Country Planning, A.P., Hyderabad.
- 14) Submission of written brief of Presenting Officer Dated: 4-6-2014.
- 15) This office Lr. of even No., Dt: 28-06-2014 addressed to the Presenting officer.
- 16) Written brief of Presenting Officer Dated: 25-7-2014.

Memo.No.2082/Vig.I(1)/2010,- It is to submit that vide cited reference (1) above, the Director of Town & Country Planning, A.P., Hyderabad has appointed me as Enquiry Officer, and vide cited reference above Sri G. Gurunadha Reddy now working as a Superintendent in office of the Regional Deputy Director of Town and Country Planning, Visakhapatnam as Presenting Officer on the charges framed against Sri T. Shanmukha Reddy, TPS, Srikalahasthi Municipality, The Enquiry Officer proposed to conduct enquiry on three occasions but for the reasons cited in his request letter by the accused officer, the enquiry was conducted on 1-3-2014 and the enquiry statement submitted by this, office and after submission of the revised written brief of Presenting Officer. I am herewith submitting my enquiry report with .the available material in this file for taking further necessary action.

INQUIRY REPORT

It is to submit that vide Proceedings Roc.No. 399/2010/m2-1, Dt: 30-8-2013 the Director of Town & Country Planning, A.P., Hyderabad as appointed me as Enquiry Officer and Sri G. Gurunadha Reddy, Superintendent of O/o. The Regional Deputy Director of Town and Country Planning, Visakhapatnam as Presenting Officer on the charged framed against Sri T. Shanmukha Reddy, now, working as a TPS Srikalahasthi Municipality, further it is to submit that the enquiry was conducted and the report is herewith submitting after obtaining the written brief from the Presenting Officer.

1. Sri T. Shanukha Reddy,T.P.S. then ACP in-charge, in G.V.M.C. Visakhapatnam and now working as a TPS in Srikalahasthi Municipality was issued charge Memo communicating the Articles of Charges vide Charge Memo No.399/2010/M2, Dt: 30-1-2013.

Charge No.1:- That the Government servant Sri T. Shanmukha Reddy failed to submit Annual Property Returns to the competent authority for the period from 15-6-1987 i.e., date of entry into service to 26-12-2009 i.e., the date of searches except for the years 2005 to 2007 and thereby violated Rule 9(7) of APCS (Conduct) Rules, 1964.

Charge No.2:- That the Government Servant Sri T. Shanmukha Reddy being a public servant while working as Town Planning Building Overseer and Town Planning Supervisor during the period from 15-6-1987 to 26-12-2009 had acquired immovable properties in his name and in the name of his wife and also constructed a building in the name of his wife and failed to obtain previous sanction or intimation to the competent authority and violated rule 9(1) of APCS (Conduct) Rules, 1964.

1.2: Case of the disciplinary authority:

Basis of the Charge No.1

On credible information that Sri T. Shanmukha Reddy, incharge Assistant City Planner, Gajuwaka Division, Greater Visakha Municipal Corporation, Visakhapatnam had acquired assets disproportionate to his known sources or legal income, a source report was submitted. On receiving the proceedings vide Rc.No.53/ACB/JD(R) 2009 Dt: 23-12-2009 of the Joint Director (R), ACB, AP, Hyderabad, a case in Cr.No.17IRCA-TCT/2009 u/s 1.3(2) r/w13(1)(e) of The PC Act 1988 was registered on 24-12-2009 at 11-00 hours at ACB, Tirupati Range, Tirupati and investigated into.

After obtaining the search warrants U/s 93 Cr.P.C on 24-12- 2009 in Cr.No.17/RCA-TCT/09 from the Hon'ble Special Judge for SPE/ACB Cases, Nellore, simultaneous house searches were conducted on 26-12-2009 in the residential house of AO in Visakhapatnam and in the residential house of his relatives at various places.

The investigation revealed that the Government Servant Sri T. Shanmukha Reddy entered into Government service on 15-6-1987 as Town Planning Building Overseer and he worked at Srikalahasti & 'Nellore Municipalities as Town Planning Building Overseer. He got promoted as Town Planning Supervisor on 2-4-1995 and worked at Tirupati Municipality, Guntur and Anantapur Municipal Corporations. He worked as incharge Assistant City Planner, Gajuwaka Division, Greater Visakha Municipal Corporation, Visakhapatnam from 23-6-2008 to 25-12-2009. While working in the above capacities, he failed to submit Annual Property Returns to the competent authority for the period from 15-6-1987 to 25-12-2009 except for the year 2005 to 2007 and violated Rule 9(7) of APCS (Conduct) Rules, 1964.

The Government servant had acquired the following properties in his name and in the name of his wife without obtaining previous sanction or without giving any intimation to the competent authority.

1. Acquired house site to an extent of 1001 $\frac{1}{4}$ Sq.ft in Sy.No.720 at Padmavathi Nagar, M.R. Palli Panchayat, Tirupati Rural Mandal, Chittoor District as gift in favour of his wife Smt P.Premalatha from her mother Smt. P. Shikamanemma vide Doc.No.514/1989 Dt. 8-02-1989 of SRO, Tirupati Town.

2. Constructed two storied building in the house site mentioned in item No.1 ground floor in the year 1992-93 and 1st floor in the year 1997-98 in the name of his wife. The constructed cost of the building is evaluated to be of Rs.7,74,000/-
3. Purchased house site, to an extent of 1975 Sq.ft in Sy.No.430/3 at Thanapalli village fields, Tiruchanur Panchayat, Tirupati Rural Mandal in his name from Smt. N.K.Kumuda of Tiruchanur for Rs.33,000/- vide Doc.No. 1521/1995 Dt: 8-8-1995 of SRO, Renigunta.
4. Purchased agricultural land with an extent of 2.26 acres in Sy.No.361/2, 363/3A, 363/38 & 363/30 of Chandragiri Village, Chittoor District in name of his Wife Smt. P. Premalatha from Sri P. devadatha Reddy and 3 others of Chandragiri Village & Mandal, Chittoor District for Rs.2,37,250/- vide Doc.No.909/2001 Dt: 11-06-2001 of SRO, Chandragiri.
5. Purchased agricultural land with an extent of 2.26 acres in 361/1, 361/3 and 363/3C of Chandragiri Village Chittoor District in name of his wife Smt P. Premalatha from Sri Onti Pratap Reddy and 2 others of Chandragiri, Chittoor District for Rs. 2,37,250 vide Doc.No.954/2001 Dt: 16-06-2001 of SRO, Chandragiri.
6. Purchased house plot with an extent of 2190 Sq.ft in Sy.No.207/1 & 207/2 at Thimminaidupalem, Tirupati in the name of his wife from Swarna. Housing Pvt Ltd, Tirupati for Rs.48,700/- vide Doc.No.1387/2002 of SRO, Renigunta.
7. He along with 3 others purchased agricultural and with an extent of 5.19 acres in Sy.No.635/1A at Karkambadi Village, Renigunta Mandai, Chittoor District for consideration value of Rs.1,87,000/- from Abdul Rasheed of Tirupati and got his $\frac{1}{4}$ th share (1.29 $\frac{3}{4}$ acres land) registered in the name of his wife Smt. P. Premalatha vide Doc.No.2971/2002 of SRO, Renigunta on 26-9-2002.
8. He along with 3 others purchased agricultural land with an extent of 6.00 acres in Sy.No.637/1 & 638/18 at Karkambadi Village, Renigunta Mandal, Chittoor District for consideration value of Rs. 2,31,000/- from Sri S. Khaleel Ahamad of Tirupati and got his $\frac{1}{4}$ th share (50 acres land) registered in the name of his wife Smt P.Premalatha vide Doc.No.3011/2002 of SRO, Renigunta on 28-9-2002.
9. He along with 3 others purchased agricultural land with an extent of 6.00 acres in Sy.No.637/2 & 638/2B2 at Karkambadi Village, Renigunta Mandal, Chittoor District for consideration value of Rs.2,32,000/- from Smt. S. Aktar Begum of Tirupati and got his $\frac{1}{4}$ th share (1.50 acres land) registered in the name of his wife Smt P. Premalatha vide Doc.No.3012/2002 of SRO Renigunta on 28-9-2002.
10. Purchased a house plot with an extent of 2200 Sq.ft in Sy.No.241/1B, 241/2 & 241/3 at Bairagipatteda, Tirupati Town, Chittoor District in the name of his wife Smt P. Premalatha for Rs.3,18,000/- vide Doc.No.2496/2003 of SRO, Tirupati Town.
11. Purchased a house plot with an extent of 1800 Sq.ft in Sy.No.447/1 at Tiruchanur, Tirupati Rural Mandal in the name of his wife Smt P. Premalatha from Sri M. Vasantha Rao @ M. Sekhar Reddy of Tirupthi and 2 others vide for Rs. 1,20,000/- vide Doc.No.3157/2003 of SRO, Renugunta on 27-8-2003.

12. Purchased semi-finished flat in the 3rd floor with plinth area 998 Sq.ft sai Anuhya Enclave, Chandramouli Nagar, Guntur City for consideration value of Rs.8,00,000/- in the name of his wife Smt P.Premalatha from Kavuru Raghavaiah Chowdary of Guntur City vide Doc.No.4420/2008 of SRO, Guntur on 30-6-2008 and got it finished as dwelling unit in the year 2008-09 spending an amount of Rs.4,41,000/-
13. Purchased semi-finished flat in the 2nd floor with plinth area 1360 Sq.ft in SS Garden Apartment, Sapthagiri Nagar, Tirupathi Town for consideration value of Rs. 9,13,000/- in his name from M/s. SS Developers vide Doc.No.4670/2008 of SRO, Tirupathi Town on 21-8-2008 and got it finished as dwelling, unit in the year 2008-09 by spending an amount of Rs.5,22,000/-

The Government Servant did not obtain previous sanction or intimation to the competent authority for acquiring the above mentioned immovable properties and construction of the building mentioned in Sl.No.2 and thereby contravened Rule 9(1) of AP Civil Services (Conduct) Rules, 1964.

Thus, the Government Servant T. Shanmukha Reddy S/o Late T. Muni Reddy, incharge Assistant City Planner, Greater Visakha Municipal Corporation, Visakhapatnam by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct, unbecoming of Government Servant and thereby violated Rule 9(1)&9(7) r/w3(1)&(2) of APCS (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action, for Major penalty.

Basis of the Charge No.2

On credible information that Sri T. Shanmukha Reddy, incharge Assistant City Planner, Gajuwaka Division, Greater Visakha Municipal Corporation, Visakhapatnam had acquired assets disproportionate to his known sources or legal income, a source report was submitted. On receiving the proceedings vide Rc.No.53/ACB/JD(R) 2009 Dt: 23-12-2009 of the Joint Director (R), ACB, AP. Hyderabad, a case in Cr.No.171RCA- TCT/2009 u/s 13(2) r/w 13(1)(e) of the PC Act 1988 was registered on 24-12-2009 at 11-00 hours at ACB, Tirupati Range, Tirupati and investigated into.

After obtaining the search warrants U/s 93 Cr.P.C on 24-12-2009 in Cr.No.17/RCA-TCT/09 from the Hon'ble Special Judge for SPE/ACB Cases, Nellore, simultaneous house searches were conducted on 26-12-2009 in the residential house of AO in Visakhapatnam and in the residential house of his relatives at various places.

The investigation revealed that the Government Servant Sri T. Shanmukha Reddy entered into Government service on 15-6-1987 as Town Planning Building Overseer and he worked at Srikalahasti & Nellore Municipalities as Town Planning Building Overseer. He got promoted as Town Planning Supervisor on 2-4-1995 and worked at Tirupati Municipality, Guntur and Anantapur Municipal Corporations. He worked as incharge Assistant City Planner, Gajuwaka Division, Greater Visakha Municipal Corporation, Visakhapatnam from 23-6-2008 to 25-12-2009. While working in the above capacities, he failed to submit Annual Property Returns to the competent authority for the period from 15-6-1987 to 25-12-2009 except for the year 2005 to 2007 and violated Rule 9(7) of APCS (Conduct) Rules, 1964.

The Government servant had acquired the following properties in his name and in the name of his wife without obtaining previous sanction; or without giving any intimation to the competent authority.

1. Acquired house site to an extent of $1001\frac{1}{4}$ Sq.ft in Sy.No.720 at Padmavathi Nagar, M.R. Palli Panchayat, Tirupati Rural Mandal, Chittoor District as gift in favour of his wife Smt P. Premalatha from her mother Smt. P. Shikamanemma vide Doc.No.514/1989 Dt: 8-02-1989 of SRO, Tirupati Town.
2. Constructed two storied building in the house site mentioned in item No.1 ground floor in the year 1992-93 and 1st floor in the year 1997-98 in the name of his wife. The constructed cost of the building is evaluated to be of Rs.7,74,000/-
3. Purchased house site to an extent of 1975 Sq.ft in Sy.No.430/3 at Thanapalli Village fields, Tiruchanur Panchayat, Tirupati Rural Mandal in his name from Smt. N.K.Kumuda of Tiruchanur for Rs.33,000/- vide Doc.No.1521/1995 Dt: 8-8-1995 of SRO, Renigunta.
4. Purchased agricultural land with an extent of 2.26 acres in Sy.No.361/2, 363/3A, 363/38 & 363/30 of Chandragiri Village, Chittoor District in name of his wife Smt. P. Premalatha from Sri P. devadatha Reddy and 3 others of Chandragiri Village & Mandal, Chittoor District for Rs.2,37,250/- vide Doc.No.909/2001 Dt: 11-06-2001 of SRO, Chandragiri.
5. Purchased agricultural land with an extent of 2.26 acres in 361/1, 361/3 and 363/3C of Chandragiri Village, Chittoor District in name of his wife Smt P. Premalatha from Sri Onti Pratap Reddy and 2 others of Chandragiri, Chittoor District for Rs.2,37,250 vide Doc.No.954/2001 Dt: 16-06-2001 of SRO, Chandragiri.
6. Purchased house plot with an extent of 2190 Sq.ft in Sy.No.207/1 & 207/2 at Thimminaidupalem, Tirupati in the name of his wife from Swarna Housing Pvt Ltd, Tirupati for Rs.48,700/- vide Doc.No. 1387/2002 of SRO, Renigunta.
7. He along with 3 others purchased agricultural land with an extent of 5.19 acres in Sy.No.635/1A at Karkambadi Village, Renigunta Mandal, Chittoor District for consideration value of Rs. 1,87,000/- from Abdul Rasheed of Tirupati and got his $\frac{1}{4}$ th share (1.29 $\frac{3}{4}$ % acres land) registered in the name of his wife Smt. P. Premalatha vide Doc.No.2971/2002 of SRO, Renigunta on 26-9-2002.
8. He along with 3 others purchased agricultural land with an extent of 6.00 acres in Sy.No.637/1 & 638/18 at Karkambadi Village, Renigunta Mandal, Chittoor District for consideration value of Rs.2,31,000/- from Sri S. Khaleel Ahamad of Tirupati and got his $\frac{1}{4}$ th Share (50 acres land) registered in the name of his wife Smt P.Premalatha vide Doc.No.3011/2002 of SRO, Renigunta on 28-9-2002.
9. He along with 3 others purchased agricultural land with an extent of 6.00 acres in Sy.No.637/2 & 638/2B2 at Karkambadi Village, Renigunta Mandal, Chittoor District for consideration value of Rs.2,32,000/- from Smt. S. Aktar Begum of Tirupati and got his $\frac{1}{4}$ th share (1.50 acres land) registered in the name of his wife Smt P. Premalatha vide Doc.No.3012/2002 of SRO Renigunta on 28-9-2002.

10. Purchased a house plot with an extent of 2200 Sq.ft in Sy.No.241/1B, 241/2 & 241/3 at Bairagipatteda, Tirupati Town, Chittoor District in the name of his wife Smt P. Premalatha for Rs.3,18,000/- vide Doc.No.2496/2003 of SRO, Tirupati Town.
11. Purchased a house plot with an extent of 1800 Sq.ft in Sy.No.447/1 at Tiruchanur, Tirupati Rural Mandai in the name of his wife Smt P.Premalatha from Sri M. Vasantha Rao @ M. Sekhar Reddy of Tirupthi and 2 others vide for Rs.1,20,000/- vide Doc.No.3157/2003 of SRO, Renugunta on 27-8-2003.
12. Purchased semi-finished flat in the 3rd floor with plinth area 998 Sq.ft Sai Anuhya Enclave, Chandramouli Nagar, Guntur City for consideration value of Rs.8,00,000/- in the name of his wife Smt P.Premalatha from Kavuru Raghavaiah Chowdary of Guntur City vide Doc.No.4420/2008 of SRO, Guntur on 30-6-2008 and got it finished as dwelling unit in the year 2008-09 spending an amount of Rs. 4,41,000/-.
13. Purchased semi-finished flat in the 2nd floor with plinth area 1360 Sq.ft in SS Garden Apartment, Sapthagiri Nagar, Tirupathi Town for consideration value of Rs.9,13,000/- in his name from M/s SS Developers vide Doc.No. 4670/2008 of SRO, Tirupathi Town on 21-8-2008 and got it finished as dwelling unit in the year 2008-09 by spending an amount of Rs. 5,22,000/-

The Government Servant did not obtain previous sanction or intimation to the competent authority for acquiring the above mentioned immovable properties and construction of the building mentioned in Sl.No.2 and there by contravened Rule 9(1) of AP Civil Services (Conduct) Rules, 1964.

Thus, the Government Servant T. Shanmukha Reddy S/o Late T. Muni Reddy, incharge Assistant City Planner, Greater Visakha Municipal Corporation, Visakhapatnam by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct, unbecoming of Government Servant and thereby violated Rule 9(1)&9(7) r/w3(1)&(2) of APCS (Conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action, for Major penalty.

1.3 Case of Defendant:

Charge No.1

I submit that I hail from a respectable family with sound financial background and I got into service through employment exchange, Chittoor in the year 1987. I submit that I was not aware, of the fact that the Government Servant has to submit annual property returns every year. Nor did my superior officers where I worked from 15-06-1987 to 2005, advise me to file such property returns annually. As such, I could not submit my annual property returns before the Competent authority from 15-06-1987 to 2004. This was happened due inadvertence and due to lack of proper guidance. In fact, I did not even know at that time that these property statements would be sent to the office of the Director of Town & Country Planning, AP, Hyderabad. Therefore, I could not submit the

annual property returns due to lack of adequate guidance by my superior officers where I worked during this period. I submit that my superior officers where I worked between 2005 to 2007 educated me to file such property statements. Having come to know about the same, I have submitted annual property returns pertaining to 2005 to 2007 before the competent authority. I further submit that non submission of annual property returns from 1987 to 2004 is neither willful nor wanton but for the bonafied reason stated supra. I further submit that in the year 1995 I acquired house site measuring to an extent of 1975 Square Feet in S.No.430/3 at Thanapalli Village under Document No.1521/1995 on 08-08-1995 for an amount of Rs.33,000/- only. After lapse of 13 years i.e. in the year 2008, I have purchased semi finished flat in 2nd floor with plinth area of 1300 Square feet in SS Garden Apartment, Sapthagir Nagar, Tirupati under Doc.No.4670/08 for total sale consideration of Rs.9,31,000/- by availing loan from State Bank of Travancore, Tirupati to a tune of Rs.8,00,000/- and the remaining sale consideration of Rs.1,31,000/- was met from my salary savings. I have incurred additional amount of Rs.3,00,000/- to finish the balance work which was met from my salary savings. Thus the total value of the property is only Rs. 12,31,000/- Except the above referred two properties, I have no other property. Therefore, there is no violation of Rule 9(7) of APCS (conduct) Rules, 1964 on my part as alleged. As such, I do not admit this charge and deny the same vehemently.

Charge No.2 :

As far as this charge is concerned, I am to submit that it is absolutely false to allege that I had acquired immovable properties in the name of my wife. I further submit that my wife is having her own source of income. Further, she hails from a respectable family with sound financial back ground. She purchased certain properties in her name with Stridhana given by her parents and from the income derived out of her immovable house properties. Those properties cannot be stated to have been acquired by me. As such, I deny this charge vehemently as baseless and untenable. I further submit that as stated supra, since, my superior officers where I worked from 15-06-1987 to 2005, did not advise me to file such property returns annually, I could not submit my annual property returns before the competent Authority from 15-06-1987 to 2004. This was happened due inadvertence and due to lack of proper guidance. In fact, I did not even know at that time that these property statements would be sent to the office of the Director of Town & Country Planning, AP, Hyderabad. Therefore, I could not submit the annual property returns due to lack of adequate guidance by my superior officers where I worked during this period. I submit that my superior officers where I worked between 2005 to 2007 educated me to file such property statements. Having come to know about the same, I have submitted annual property returns pertaining to 2005 to 2007 before the competent authority. I further submit that non submission of annual property returns from 1987 to 2004 is neither willful nor wanton but for the bonafied reason stated supra. I have not violated any rule or rules framed by my superior officers/government at any point of time during the fore said period. Hence, I do not admit this charge and deny vehemently.

I submit that it is Absolutely false to allege that I have acquired properties in my name and in the name of my wife. For better appreciation of the facts of the case, I subnet my explanation as follows:

1. House site to an extent of 1001 1/4th Square feet in S.No.720 at Padmavathi Nagar, M.R. Palli Panchayat, Tirupati Rural Mandal, Doc.No.514/1989, Dt: 08-02-1989.

My wife got house site measuring 900 Sft in L.B. Nagar, Padmavathi Nagar, Tirupathi by way of gift from her father in the year 1989. In this site, she constructed ground floor with two (2) portions during the period from October, 1991 to September, 1992 by spending a sum of Rs.3.00 Lakhs through loan from Co-operative House Building Society Limited, Tirupati. She also incurred her Sthreedhanam and also obtained hand loan from her father to meet the construction expenditure. Thus, the property is not acquired by me or from my income. One portion of the building was let out by her for rent and the rent amounts are being utilized by her for repayment of loan to the House Building Society Limitec, Tirupati.

2. Two storied building in the site mentioned in item No. 1 Ground floor in the year 1992-93 and first floor in the year 1997-98. The cost of the building is valued to be Rs.7,74,000/-.

I submit that as stated supra, my wife got house site mentioned in item No.1 as gift from her father in the year 1989. At the first instance, she constructed two portions, in the ground floor during the period from October, 1991 to September, 1992 by incurring Rs.3,00,000/- and the construction cost was met by her with borrowing loans as stated in the item No.1 above. She constructed first floor by incurring Rs.4,74,000/- during 1995-96 and completed the same in the month of August, 1997 through rents derived from ground floor. This first floor consisting of two (2) portions was also let out by her for rent. I am in no way concerned with the same.

3. House site to an extent of 1975 Square feet in S.No.430/3 of Thanapalli Village in his name vide Doc.No.1521/95, Dated: 08-08-1995.

This house site was acquired by me out of my salary savings. The value of the site is only Rs.33,000/-.

4. Agricultural land with an extent of Ac. 2.26 cents in S.No 361/2, 363/3A, 363/3B and 353/3D of Chandragiri Village in the name of his wife Smt. P. Premalatha, vide Doc.No.909/2001, Dated: 11 -06-2001.

The above agricultural lands were purchased by my wife out of her own savings from rental income and agricultural income. The value of the property is Rs. 2,37,250/-.

5. Agricultural land with an extent of Ac.2.26 cents in S.No. 361/1 362/3 and, 363/30 of Chandragiri Village in the name of his wife Smt. P. Premalatha, vide Doc.No. 954/2001, Dated: 16-06-2001.

The above agricultural lands were purchased by my wife out of her won savings from rental income and agricultural income. The value of the property is Rs.2,37,250/- only.

6. House plot with an extent of 2190 Square feet in S.No. 207/1 and 207/2 at Thimminaidupalem in the name of his wife vide Doc.No. 1387/2002.

My wife purchased a house plot measuring 243.33 Square yards or 2190 Square feet at Thimminaidupalyam Village from Swarna Housing Private Limited and others for a sum of Rs.48,700/-. The said cost of site was met by her from her agricultural income and savings out of rental income.

7. He along with 3 others purchased agricultural land with an extent of Ac.5-19 cents in S.No.636/1A at Karakambadi Village and got $\frac{1}{4}$ th share registered in the name of his wife vide Doc.No.2971/2002.

My wife along with her family friends viz., (1) Mrs. P. Rajeswari (2) Mrs. M. Jayasri and (3) P.V. Sesha Reddy purchased agricultural lands containing Mango Garden in the month of September, 2002. Her share of purchase cost, is Rs.1,62,500/- which was met by her through her own savings and rental and agricultural income.

8. He along with 3 others purchased agricultural land with an extent of Ac.6.00 cents in S.No.637/1, 638/1B at Karakambadi Village and got $\frac{1}{4}$ th share registered in the name of his wife vide Doc.No.3011/2002.

My wife along with her family friends viz., (1) Mrs. P. Rajeswari (2) Mrs. M. Jayasri and (3) P.V. Sesha Reddy purchased agricultural lands containing Mango Garden in the month of September, 2002. Her share of purchase cost was met by her through her own savings and rental and agricultural income.

9. He along with 3 others purchased agricultural land, with an extent of Ac. 5.19 cents in S.No.637/2 and 638/2B2 at Karakambadi village and got $\frac{1}{4}$ th share registered in the name of his wife vide Doc.No.3012/2002.

My wife along with her family friends viz., (1) Mr.s P. Rajeswari (2) Mrs. M. Jayasri and (3) P.V. Sesha Reddy purchased agricultural lands containing Mango Garden in the month of September, 2002. Her share of purchase cost is Rs.1,62,500/- which was met by her through her own savings and rental and agricultural income.

10. Purchased house plot with an extent of 2200 Square feet in S.No.241/1B, 241/2 and 241/3 at Bairagipatteda, Tirupathi Town in the name of his wife vide Doc. No.2496/2003.

The above house site was purchased by my wife out of her agricultural income and agricultural savings and commission earned as LIC agent.

11. Purchased a house plot with an extent of 1800 Square feet in S.No. 447/1 at Tiruchanur in the name of his wife vide Doc.No.3157/2003.

My wife purchased this house site in S.No.447/1 of Tiruchanur Village for a sum of Rs.1,20,000/- on 27-08-2003. The said amount was met from (1) Rs.1,00,000/- on sale of agricultural produce and (2) Rs.20,000/- from savings from rental income.

12. Purchased semi finished flat in 3rd floor with plinth area of 998 Square feet in Sai Anuhya Enclave, Chandramouni Nagar, Guntur in the name of his wife vide Doc.No. 4420/2008 and got finished as dwelling unit by spending Rs.4,41,000/-.

My wife purchased this semi finished flat bearing No.1, located in 3rd floor of Sai Anuhya Enclave, Chandramouli Nagar, Guntur in her name for Rs.8,00,000/- through registered sale deed Dated: 30-06-2008. She further incurred a sum of Rs.4,41,000/- to complete the construction work and the said amount was met from the following sources:

* Gift from her brother	Rs. 4,98,868-00
* Gold loan from SBI, Chandragiri	Rs. 2,42,000-00
* Amount received from her mother Towards her share of property Sold as per will	Rs. 5,00,132-00
	<hr/>
	Rs.12,41,000-00
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13. Purchased semi finished flat in 2nd floor with plinth area of 1300 Square feet in SS Garden Apartment, Sapthagiri Nagar, Tirupati in his name vide Doc.No. 4670/2008 and got it finished as dwelling unit in the year 2008-09 by spending an amount of Rs.5,22,000/-.

I have purchased semi finished flat in 2nd floor of S.S. Garden Apartment, Tirupati for a sum of Rs.9,13,000/- paid to the builder Mr. V. Madhusudhan Rao. The said cost was met from housing loan of Rs.8,00,000/- taken from State Bank of Travancore, Tirupati and the balance amount of Rs. 1,13,000/- from my salary savings. Further, I entrusted the unfinished work to the builder who completed the balance work by incurring Rs.3,00,000/-. The additional expenditure was also met from my salary savings. Thus the total cost of the flat was Rs. 12,31,000/-. To this effect the builder has given completion certificate, according to which the total cost of the flat worked out to Rs. 12,31,000/-

I humbly submit that except the properties mentioned in item Nos. 3 and 13, the other properties belong to my wife and she acquired those properties with her own savings and earnings as LIC agent. I further submit that those properties cannot be said to have been acquired by me and I am nothing to do with the same and in no way concerned with the same. I further submit that I was not aware of the fact of prior intimation of acquiring immovable property to my superiors. I submit that I am always obedient to my superiors and I never behaved with lack of integrity. I submit that throughout my career, I bestowed devotion to duty and conduct and I never violated any rules and regulations at any point of time.

In the light of the factual circumstances explained above, I most humbly pray your esteemed authority to kindly consider my representation in its proper perspective and may be pleased to drop the charges framed against me, for which act of kindness, I shall ever be grateful to you Sir.

1.4 Analysis and assessment of evidence :

Observations:

As gone through the charge as well as connected available records the following observations are made.

Charge No.1:-

From the above available material observations, the Charged Officer not willfully avoided in submitting his annual property returns as to be submitted as per para 9(7) APCS rules to the competent authority due to lack of proper guidance and motivation from superior

officers from the date of joining his duty services i.e. from 15-06-1987 to 2005. It is fact that the Municipal staff i.e. TPBO, TPSs and TPOs after their appointment, they are working under Municipal Commissioners concerned only and their activities i.e. day to day work was monitored by the Municipal Commissioners. Up to 1986, there is only one Office i.e. O/o. The Director of Town and Country Planning to Look after Technical Matters, Administrative Matters and Financial Matters pertaining to Directorate staff as well as Technical Staff working in municipalities. From the year 1986, the Regional Offices were established without giving any delegations, regarding technical matters, administrative matters as well as financial matters. Despite the very purpose of establishing the Regional Offices are to decentralize the powers to grass-root level no delegations of powers were given to Regional Office until 20-07-2002. At the time of delegating the powers (i.e. up to TPS cadre) are vide Proceeding Roc.No.8821/2001/P3, Dt: 20-7-2002 only service registers were given to Regional Office and no case Sheets (pertaining to property returns) of municipal staff (i.e. TPBO's & TPS's) were given to regional office, it shows that until 2002, the Head Office also not serious/particular about to collect the property returns of the municipal staff and it is also known fact that the staff working in Head Office, Regional Office, Master Survey Units staff are only submitting their property returns as they are directly under the control, of the Directorate and Superiors are also monitoring the same and it is only when D.O.Lr.No. 10791/03/1, Dt: 26-12-2003 was issued insisting all the staff to submit their property returns, by the then Director of Town and Country Planning, most of the Municipal Staff are started submitting their property returns and it was only when the property returns issue linked with increment, all the Municipal Staff are giving their property returns before January 15th of every year to the Regional Office as the administrative matter was vested with regional office. It is also pertinent to note that the charged officer submitted his property returns of 2005-07. Hence it is only, due to lack of motivation and proper guidance from superiors and also they are not directly working under directorate the municipal staff are unable to submit their property returns and if we see the Circular Memo Nos.566/2010/E4, Dt: 28-1-2010, No. 269/2010/M4 Dt: 18-02-2010, No.269/2010/M4 dt: 6-1-2011 and Circular Memo No.566/2010/E4, Dt: 25-11-2011 of the Director of Town & Country Planning, A.P., Hyderabad, it shows that the Head Office actively motivated to collect property returns of all the staff during 2010 and 2011. The Department also started maintaining the case sheets for the staff only after the Accountant General, Audit Department seriously instructed both Head office as well as Regional Office during their inspection, to maintain the case sheets as well as to follow the rules while issuing increments in the year 2010. Hence it is only happened un-intentionally on the part of charged officer and due to a lack, of motivation and guidance from the higher authorities then. Hence the charged officer not willfully violated Rules 9(7) of APCS (Conduct) Rules 1964. There are No. of APCS rules to be accepted and implemented by each and every Government employee but which have not timely brought to the notice, in this issue the same was happened.

Charge No.2:-

As per observations made from the material' available it was accused that, the accused officer acquired immovable properties in his , name and in the name of his wife without prior sanction or intimation to the competent authority and violated rule 9(1) of APCS (Conduct) Rules 1964. Out of 13 properties as mentioned in the Annexure-II, only 2 properties are belongs to accused- officer, and the details of purchasing the said

properties were already reported to ACB officials in detail and remaining 11 properties were purchased by his wife from his own sources of Agricultural income (which is non-taxable) as teacher and his rents derived from properties and the details of purchasing the properties were also submitted to the ACB officials in Booklet form (copy enclosed).

For the reasons cited supra in detail for Charge No.1 of the Enquiry Officer. The Enquiry Officer is of the opinion that the charged officer not willfully violated Rule 9(1) of APCS (Conducted) Rules 1964. The Enquiry Officer is also of the opinion that the Department shall see that each and every employee is aware of the APCS (Conduct) Rules 1964 and the Department is also to be serious/particular about to collect property returns of all of the staff including municipal staff before dead line.

1.5 Findings:

On the basis of documentary evidence adduced in the case before me and in view the reasons above I hold that the following charges is proved/not proved against Sri T. Shanmukha Reddy, now working as a TPS, Srikalahasthi Municipality.

Charge No. 1	Not Proved
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Charge No.2	Not Proved
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1.6 Annexure-I

Containing list of Executive documents are enclosed.

Dated: 05-10-2018.

Y.P. RANGANAYAKULU,
Enquiry Officer & Regional Deputy
Director of Town and Country
Planning, Visakhapatnam.

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